

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MERTIK MAXITROL GMBH & CO.,
ET AL.,

Plaintiffs,

No. 10-12257

v.

District Judge Patrick J. Duggan
Magistrate Judge R. Steven Whalen

HONEYWELL TECHNOLOGIES
SARL, ET AL.,

Defendants.

ORDER

Before the Court is Defendants' Motion for Rule 26(c) Protective Order [Doc. #93], in which Defendants seek to quash Plaintiffs' notices of depositions. For the reasons and under the terms stated on the record on August 29, 2013, the Motion is GRANTED IN PART AND DENIED IN PART, as follows:

1. The request to quash *any* deposition based on untimeliness of the notices of deposition is DENIED.

2. In response to the notices of deposition, Defendants may jointly offer a single witness under Fed.R.Civ.P. 30(b)(6).

3. The following Rule 30(b)(6) Categories proposed by Plaintiff are permissible, and the motion to quash is DENIED as to these Categories: #1-12; #17; #24, #25 and #28 (to Honeywell Sarl); #22-25 (to Honeywell International); #33 (to Honeywell Sarl) and #30 (to Honeywell International).

4. The following Categories are overly broad as framed but shall be permitted with the following restrictions:

(A) #13 and #14 will be limited to the V5474 and V5475 gas control units.

(B) #19-#23 (to Honeywell Sarl) and #19-#21 (to Honeywell International) will be limited to the V5474 and V5475 gas control units.

(C) #31-#32 (to Honeywell Sarl) and #28-#29 (to Honeywell International) will be limited to the V5474 and V5475 gas control units.

(D) #39 (to Honeywell Sarl) and #36 (to Honeywell International) will be limited to the V5474 and V5475 gas control units.

5. The motion is GRANTED as to the following Categories, which will be excluded from the Rule 30(b)(6) deposition: #15 and #16; #29-#30 (to Honeywell Sarl) and #26-#27 (to Honeywell International); #34-#38 (to Honeywell Sarl) and #31-#35 (to Honeywell International).

6. Defendants' motion to quash Plaintiffs' second set of interrogatories and document requests *as untimely* is DENIED.¹

IT IS SO ORDERED.

Dated: August 29, 2013

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on August 29, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager to the
Honorable R. Steven

¹ Objections to Plaintiffs' discovery requests on bases other than timeliness are the subject of a separate motion, and will be ruled upon by separate order.